

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.  
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Case No. 08-13555 (JMP)  
Jointly Administered  
Chapter 11 Proceedings

**AFFIDAVIT AND DISCLOSURE STATEMENT OF KEVIN M. NEWMAN  
ON BEHALF OF MENTER, RUDIN & TRIVELPIECE, P.C.**

STATE OF NEW YORK                     )  
COUNTY OF ONONDAGA                ) ss:

KEVIN M. NEWMAN, being duly sworn, upon his oath, deposes and says:

1. I am an attorney licensed to practice in the State of New York and a shareholder of Menter, Rudin & Trivelpiece, P.C., located at 308 Maltbie Street, Suite 200, Syracuse, New York 13204-1498 (the "Firm").

2. Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors in the above-referenced Chapter 11 cases, as debtors and debtors in possession (together, the "Debtors" and, collectively with their non-debtor affiliates, "Lehman"), have requested that the Firm provide legal services to the Debtors, and the Firm has consented to provide such services.

3. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these Chapter 11 cases, for persons that are parties in interest to the Debtors' Chapter 11 cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these Chapter 11 cases. The Firm does not perform services for any such person in connection with these Chapter 11 cases. In addition, the Firm does not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

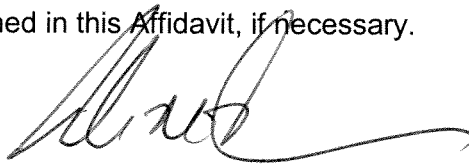
4. The scope of the Firm's representation of Lehman includes representation in bankruptcy cases filed by certain third parties. The Firm represents other creditors in such third party bankruptcy cases.

5. Neither I, nor any principal of, or professional employed by the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principals and regular employees of the Firm.

6. Neither I, nor any principal of, or professional employed by the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates.

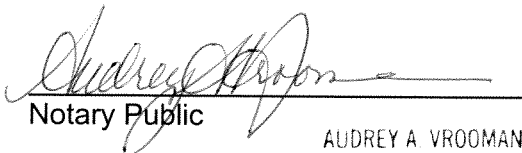
7. The Debtors owe the Firm \$0.00 for prepetition services.

8. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of the inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Affidavit, if necessary.



KEVIN M. NEWMAN

Subscribed and sworn to before me  
this 10<sup>th</sup> day of November, 2008.

  
Notary Public

AUDREY A. VROOMAN  
Notary Public, State of New York  
Qualified in Onondaga Co. No. 4762616  
Commission Expires July 31, 2010

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**RETENTION QUESTIONNAIRE**

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY LEHMAN BROTHERS HOLDING INC. OR ANY OF ITS DEBTOR AFFILIATES (collectively, the "Debtors")

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.  
RETURN IT FOR FILING BY THE DEBTORS TO:

Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153  
Attn: Jennifer Sapp  
Christopher Sauble

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and Address of Firm:

Menter, Rudin & Trivelpiece, P.C.  
308 Maltbie Street, Suite 200  
Syracuse, New York 13204-1498  
Telephone: (315) 474-7541  
Facsimile: (315) 474-4040

2. Date of Retention: October 21, 2008

3. Type of services provided (accounting, legal, etc.): Legal.

4. Brief description of services to be provided: Represent debtors as creditors in third party bankruptcy cases.

5. Arrangements for compensation (hourly, contingent, etc.):

(a) Average hourly rate (if applicable): \$310.00

(b) Estimated average monthly compensation based on prepetition retention (if Firm was employed prepetition): N/A

6. Prepetition claims against the Debtors held by the Firm: None

Amount of Claim: \$

Date Claim arose:

Source of Claim:

7. Prepetition claims against the Debtors held individually by any member, associate, or professional employee of the firm: None

Name:

Status:

Amount of Claim: \$

Date Claim arose:

Source of Claim:

8. Stock of the Debtors currently held by the Firm: None

Kind of Shares:

No. of Shares:

9. Stock of the Debtors currently held individually by any member, associate, or professional employee of the firm: None

Name:

Status:

Kind of Shares:

No. of Shares:

10. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates with respect to the matters on which the above-named Firm is to be employed.

None. The Firm represents other creditors in the third party bankruptcy cases it will be representing the Debtors in.

11. Name of individual completing this form: Kevin M. Newman.